

MINUTES  
PLANNING BOARD MEETING  
Thursday, March 21, 2007

Meeting was called to order at 7:00 PM

Members present were: Rene Wood (Chair), Bart Elsbach, Anthony Gulotta, B. Gillooly and Christopher Tomich. R. Wood took minutes in Nadia Milleron's absence. Sign in sheet attached.

R. Wood welcomed and introduced David Smith, Sr. who has taken out papers for the Planning Board and came to observe a meeting.

**Review of Minutes:** Minutes of the 3/8/07 business meeting were reviewed and accepted as amended by a 5-0 vote. B. Gillooly made the motion, which was seconded by T. Gulotta.

**Review of upcoming meetings:** R. Wood noted the IAC meeting on Monday 3/26 at 7PM would be a joint Planning Board and Select Board meeting where they will receive an update on IAC activities. (After providing a review of the IAC activities and current status, B. Elsbach agreed to stay as the board's representative to the IAC until the May elections at which time a replacement will be made.) Next Planning Board meeting is 4/5 at 7PM, with the Public Hearing on the proposed Zoning By-Laws warrant articles for the May 2007 Town Meeting scheduled for 8:30PM. Board members were given copies of the documentation, attached, and the hearing folder was given to Bart Elsbach who will chair the 4/5 meeting and public hearing.

**Notice of Decision for Sumac Nominee Realty Trust:** The board reviewed and signed this document. This and the Detailed Record of this special permit hearing will be given to the Town Clerk on March 22 and the 20 day appeal period will begin.

**Notice of Decision for Cog Brewing:** While board members were independently reviewing the draft Notice of Decision and Detailed Record documentation, two questions arose regarding the conditions attached to the Cog Brewing Special Permit.

The first question was whether a condition should be made that the Cog Brewing special permit was contingent on the Sumac Nominee Realty Trust special permit, which had been covered during the hearing as well as stated by the applicant's attorney during the board's deliberations. The board voted 5-0, unanimously, to add the following condition to the Cog Brewing special

permit: “ This permit is contingent upon Sumac Nominee Realty Trust’s receipt of a special permit for “major commercial development”.

The second question was whether the condition, “ The cold storage cooler shall be independently locked.” should be amended to note that the cooler must be located inside the building leased by Cog Brewing, as stated in writing by the applicant’s attorney and verbally stated by the applicants during board deliberations. The board voted 5-0, unanimously, to include this condition in the Cog Brewing special permit to read: “The cold storage cooler shall be independently locked and located inside the building leased by Cog Brewing.”

The board reviewed and signed the Notice of Decision document, initialed the hand written change made. This and the Detailed Record of this special permit hearing will be given to the Town Clerk on March 22 and the 20 day appeal period will begin.

**Berkshire Fence & Accessories, Inc. Special Permit Application:** The board received a special permit application left in its mailbox with additional documents received in the mail. In reviewing the application, which the board did not accept as it was incomplete, the following was noted as missing:

- Required number of copies of the application and summary description.
- Description of Proposed Use, per the Sheffield Zoning By-Laws.
- Use and By-Law citations, per the Sheffield Zoning By-Laws, as amended on 12/4/06.
- List of abutters from the Town of Sheffield Assessor’s Office.
- A list of businesses in the building and use citations for each, per the Sheffield Zoning By-Laws.
- Detailed parking plan.
- Landscaping description or plan.
- Display plan.
- Lighting description or plan.
- Notation of any current garbage containers, dumpsters, propane tanks etc. on site on plan.
- Description of storage space.
- Percentage of lot coverage.

In addition, while not required, the board would appreciate photographs of the site.

R. Wood was authorized to call the applicant’s attorney and go over this information. The application and maps will be left in the Town Clerk’s office for the applicant or their representative.

B. Elsbach raised the issue of whether the applicant was also a tenant or was a tenant under a separate business name. It was felt this would be covered under the list of businesses or if not would be covered during the special permit application process. It was also noted that the septic system was approved when the building was built and the board would be sending a site plan and notice to the Board of Health for their review when the application was accepted.

**Subdivision information update:** R. Wood updated members on what she had learned at a BRPC education session on subdivisions that cross town lines.

**Mail was reviewed.**

**Building Inspector Notice of Decision on Keith Hyatt's proposed sign at Hyatt's Miller Ave. location:** Preliminary approval denied for presented design. Letter attached.

**Update on Bartzsch Special Permit hearing continuation:** Included in the mail was the ZBA hearing notices for the Bartzsch's hearing scheduled for April 5<sup>th</sup>. As such the board voted to move the hearing continuation date to April 17<sup>th</sup> at 8PM. Dependent on the ZBA's decision, the board will continue its deliberations but not finalize them or take a vote on the special permit application until after the appeal period for the ZBA decision. The Board's last regularly scheduled meeting is May 1<sup>st</sup>. The board discussed what actions will be needed if the decision has not been made prior to town elections on May 14<sup>th</sup> as at least one current board member is not standing for re-election. The Bartzsch's will be notified.

**Board Planning:** Board members discussed ways to divvy up the workload and the upcoming board changes. R. Wood and T. Gulotta discussed separate conversations with B. Weitz, Town Administrator on the workload and required documentation associated with board business. The board will ask Nadia Milleron, board secretary if she will take on completing the keyboarding and collating of the Notice of Decision and Legal Notice required for each special permit application. The board also voted to change its meeting time and date to the 2<sup>nd</sup> & 4<sup>th</sup> Thursdays of the month, 7PM, beginning in June 2007 to accommodate David Smith, SR., if he runs for Planning Board and is elected. Members noted the good working relationship on the board and are committed to making the board work without placing undue burdens on its members.

**Money expenditures:** C. Tomich made, and T. Gulotta seconded, a motion to authorize R. Wood to order additional board stationary through Kwik Print, using a lesser grade of paper to keep costs reasonable. Vote: 5-0. B. Gillooly made, and B. Elsbach seconded, a motion to authorize R. Wood to use grant funds held for the Sheffield Planning Board by BRPC to purchase a copy of M. Bobrowski's *MA Handbook of Land Use and Planning Law*. The authorization for the book had been approved at an earlier meeting; this motion authorized the funding source.

**B. Elsbach update:** The board was updated on his plans regarding running for reelection to the board; members discussed service alternatives as well as other community members and noted the date for papers being submitted to the Town Clerk is March 26<sup>th</sup>.

**9:15 PM Adjournment:** Motion made, seconded and approved.

Respectfully submitted,  
Rene Wood, Chair